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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MONTE SHEPHERD,  
  
Defendant.

CASE NO. 2:24-CR-00083-DJC

STIPULATION TO SET BRIEFING SCHEDULE;  
FINDINGS AND ORDER

DATE: May 30, 2024

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and Defendant, by and through Defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for hearing on Defendant's Motion to Dismiss on May 30, 2024.

2. By this stipulation, the parties now move to continue the hearing until July 18, 2024, at 9:00 a.m.

3. The parties hereby agree and stipulate that pursuant to Federal Rule of Criminal Procedure 12(c)(1), the Court set the following briefing schedule: (1) the government's opposition or statement of non-opposition to Defendant's Motion to Dismiss shall be filed no later than June 17, 2024; (2) defense reply brief, if any, shall be filed no later than July 2, 2024; and (3) the motion shall be heard, if the Court holds a hearing, on July 18, 2024.

4. By previous order dated May 9, 2024, this Court excluded time from May 16, 2024 through August 15, 2024. As such, the parties do not believe there is need for an additional request to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*

5. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: May 16, 2024

PHILLIP A. TALBERT  
United States Attorney

/s/ R. ALEX CARDENAS  
R. ALEX CARDENAS  
Assistant United States Attorney

Dated: May 16, 2024

/s/ Douglas J. Beevers  
Douglas J. Beevers  
Counsel for Defendant  
MONTE SHEPHERD

**ORDER**

IT IS SO FOUND AND ORDERED this 17<sup>th</sup> day of May, 2024.

/s/ Daniel J. Calabretta  
THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE